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UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
EUGENE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANNE HANKINS,

Defendant.

Case No. 6:22-cr-00317-MC

**DECLARATION OF JANET HOFFMAN  
IN SUPPORT OF DEFENDANT'S  
REPLY TO NON-PARTIES'  
OPPOSITION TO DEFENDANT'S  
MOTION FOR RULE 17(C)  
SUBPOENAS; AND RESPONSE TO  
GOVERNMENT'S MOTION TO  
QUASH, IN PART, RULE 17(C)  
SUBPOENAS**

I, Janet Hoffman, for my declaration pursuant to 28 U.S.C. § 1746, state:

1. I am one of the attorneys representing Ms. Hankins in the above-captioned case. I make this declaration in support of (1) Ms. Hankins's Reply to Non-Parties' Opposition to Defendant's Motion for Rule 17(c) Subpoenas (ECF No. 45); and (2) Response to Government's Motion to Quash, in Part, Rule 17(c) Subpoenas (ECF No. 46).

2. Katherine Marchant, my associate and co-counsel in defending Ms. Hankins, is out of the country. Therefore, I make this declaration on the basis of my own memory, notes of Ms. Marchant, contemporaneous documents, and email exchanges.
3. Prior to a March 2022 meeting with Assistant United States Attorney Gavin Bruce, Ms. Marchant and I asked Mr. Bruce for a copy of the expert report that had been obtained by Endeavor and or its affiliates. I was concerned that there might be information in the analysis that was relevant to our work preparing for her defense that I would want to use in our negotiations with Mr. Bruce. Mr. Bruce stated something to the effect that he did not know if he had it but was not inclined to give it to us regardless. He already had given us a lot of materials and we would get more if we went to trial. He also stated that the requested report was not relevant to his charging decisions in the case. He stated that when a complainant makes a complaint, the government does not just accept the complaint; it independently investigates.
4. On March 3, 2022, Ms. Marchant, Howard Levine, and I met with Mr. Bruce and other representatives of the government to discuss whether we could resolve Ms. Hankins case pre-indictment. During the meeting, I stressed the fact that, if we went to trial, the government's litigation risks were considerable. I stated that Ms. Hankins did not line her pockets, that she put her own money into the festivals, and that she had offered but was refused to buy the festival from Endeavor and or its affiliates. I stated that, if we went to trial, Ms. Hankins would admit she presented false financial information to the Endeavor. However, the purpose of misleading them was to have Endeavor leave her alone, not to steal money from the festivals. We went into the background of the case and discussed some of the issues the government had. Much of our discussion was focused on Ms.

Hankins's authority to take out loans on behalf of WCMC. The government took the position that she did not have such authority. We took the opposite position and agreed to provide additional information addressing the subject. We also spent time discussing the amount Ms. Hankins contributed to WCMC. We agreed to exchange information regarding that subject as well. It was clear from our presentation that Ms. Hankins wanted her "day in court" to explain the contributions she made to the festivals throughout her leadership. During our exchange, Mr. Bruce took the position that Ms. Hankins would be better off presenting her evidence to the sentencing judge rather than a jury trial.

5. On May 20, 2022, Ms. Marchant, Mr. Bruce, and I continued our plea negotiations over the phone. During the phone call, amongst other topics, we addressed the fact that Ms. Hankins's conduct was not like defendants in other wire fraud cases, in reference to the fact that she had not stolen money or personally lined her pockets. Mr. Bruce agreed the case had a unique nature and stated that, for that reason, he would recommend a the three level reduction, but no more.
6. On Sept 29, 2022, following the government's press release Ms. Marchant and I spoke with Mr. Bruce regarding the press release and our concerns about its impact on Ms. Hankins. Amongst other topics we addressed, I stated the theft language was really offensive based on the facts of the case. I stated that Ms. Hankins did not steal money from the company and, in fact, put her own money into the company and that the IRS characterization was something Ms. Hankins would have contested at trial. I directly asked Mr. Bruce if the charge itself, the plea bargain, or the indictment was for a crime of theft. Mr. Bruce agreed that neither the charge, the indictment nor the plea involved theft. I explained the harm caused by the governments statements that she had stolen and was serial

fraudster and that they were serious enough that Ms. Hankins was considering withdrawing her plea. I asked for a retraction from his office, and Mr. Bruce responded that a retraction was above his pay grade but would talk to others about it.

7. On February 2, 2023, I sent an email to Mr. Bruce requesting the Government's communications with Endeavor on *Brady* grounds. Mr. Bruce informed me that he would not be providing the requested records and would be filing a motion to quash the Rule 17(c) subpoena as to that request. The email exchange is attached to this declaration as Exhibit 1.

DATED this 10th day of February, 2023.

Respectfully submitted,

s/Janet Hoffman  
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**CERTIFICATE OF SERVICE**

I, Janet Hoffman, undersigned counsel hereby certifies that a copy of this DECLARATION OF JANET HOFFMAN was filed electronically on February 10, 2023, through the CM/ECF service for the United States District Court, District of Oregon and thereby served on all parties of record in this matter.

*/s/ Janet Hoffman*

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